

Att'y Dkt. No.
US-1380

U.S. App. No: 10/019,284

IN THE CLAIMS:

Kindly rewrite Claims 1 and 4 as follows, in accordance with 37 C.F.R. § 1.121:

1.(currently amended) An isolated protein selected from the group consisting of the amino acid sequence of SEQ ID NO: 2, ~~or~~ and a variant of the amino acid sequence of SEQ ID NO: 2 which has homology of 80% or more to the amino acid sequence of SEQ ID NO: 2 and has an activity of binding to sucrose.

2. (previously presented) An isolated DNA which encodes a protein comprising the amino acid sequence of SEQ ID NO: 2.

3. (previously presented) The DNA according to claim 2, which comprises the nucleotide sequence of the nucleotides 3779 to 5761 of SEQ ID NO: 1.

4.(currently amended) An isolated DNA which hybridizes with the nucleotide sequence of the nucleotides 3779 to 5761 of SEQ ID NO: 1 under stringent conditions, and which encodes a protein having an activity of sucrose binding enzyme II of the phosphotransferase system from *Brevibacterium lactofermentum*, ~~for binding to sucrose~~ wherein the stringent conditions comprise washing at a salt concentration corresponding to 1 x SSC, 0.1% SDS, at 60°C.

5. (previously presented) The DNA according to claim 4, wherein the DNA encodes the protein having homology of 80% or more to the amino acid sequence of SEQ ID NO: 2.

6. (previously presented) The DNA according to claim 4, wherein the DNA encodes the protein having homology of 90% or more to the amino acid sequence of SEQ ID NO: 2.

7. (previously presented) The DNA according to claim 4, wherein the DNA encodes the protein having homology of 95% or more to the amino acid sequence of SEQ ID NO: 2.